G. R. S. App. F. IX-4]

Previous References.

194 2--

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File No. 2-42

Serial Nos. 17

Later References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for

SUBJECT.

Submission Note at 4 in Highness's Marriage Fee Orders and Action based on the Recommendations of the Mysore Prison Reform Committee

5-10-42

/

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Recommendations of the Committee on Mysore Prison Reform and the orders of Government in regard to some of them.

Order.

21/8/42

No. 175

Submitted to His Highness.

The various recommendations of the Committee on Mysore Prison Reform have been under the careful consideration of Government for some time. Orders have been passed so far on some of these recommendations. I submit herewith for His Highness's gracious perusal a Note by the Minister for Law, together with a brief summary of the orders passed in these cases.

N Madhava Rau

D E W A N.

Bangalore,
14th August 1942.

Final Note by the Minister for Law 3

Subject.—

PRISON REFORMS

The recommendations of the Prison Reforms Committee which deal with the details of prison administration are being examined. Orders have been issued till now in respect of 31 of them. The more important of the orders are summarised in a note placed in the file. A statement showing the recommendations which have been considered so far and of the orders thereon is also placed in the file. The note and the statement with a collection of all the orders are submitted for the gracious perusal of His Highness.

Bangalore,
14th August, 1942.

MINISTER FOR LAW.

Summary of important orders on the recommendations of the Prison Reforms Committee:—

1. With a view to securing the separation of juveniles and adolescents from the older prisoners, it has been ordered that, till such time as the special institutions required for them are duly established, all prisoners below the age of 21, sentenced in any part of the State to imprisonment exceeding one month, should be confined in the Central Jail in one of the new blocks there under a separate staff.

2. The recommendation of the Committee that female prisoners belonging to Criminal Tribes and convicted of offences against property should be effectively separated from the rest of the female prisoners, has been accepted. It has been ordered that such prisoners should be confined in the Mysore Jail and the rest in the Central Jail at Bangalore.

3. The recommendation of the Committee for the division of casual offenders into two classes, viz., "Star" and "Ordinary", based on the principle of the segregation of the better from the worse. has been accepted, as such a classification affords an opportunity to concentrate training of those who are prima facie most likely to profit by it, and to model it to some extent on corrective and reformative principles. The "Star" class will, as

recommended

by the Committee, comprise such prisoners as are selected by the Superintendent on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude or depravity of mind. The effect of inclusion in the "Star" class will, as recommended by the Committee, apply only to segregation, which extends to sleeping accommodation and parades, and, as far as possible to labour, but there will be no indulgences in regard to diet, labour, remission or gratuity.

4. Facilities for recreation have been provided for female prisoners. Indian indoor games played by Indian women in villages have been ordered to be provided for them and they are further required to be trained in "Rangoli".

5. The Committee's recommendation regarding clothing, toilet and other amenities of female prisoners has been accepted. The scale of clothing supplied to female prisoners has been increased from two to three saris and ravikes. Each female prisoner will further be provided with a woollen jacket and a reasonable supply of oil for dressing her hair, a mirror and a comb with permission to obtain other toilet articles at her own cost or from friends and relatives, as recommended by the Committee.

6. A child under two years of age which is still at the breast is now admitted to the jail with its mother if it cannot be left with relations, or otherwise properly provided for. This age limit has, as recommended by the Committee, been raised so as to allow a female prisoner to retain her child until it is five years old, or with the approval of the Superintendent up to six years, if she so desires.

7. The Committee's recommendation that during the period which intervenes between a condemned prisoner being sentenced to death and his execution, whatever is possible should be done to alleviate his position has been accepted. Any prisoner who can read will be provided with a supply of such books as he may wish for,

prisoners who smoke will be given tobacco, and all reasonable indulgences will be allowed in the matter of interviews with relations, friends and legal advisers.

8. The punishment of whipping for prison offences has been abolished as recommended by the Committee.

9. Provision has been made allowing civil prisoners, as recommended by the Committee, the use of books in the jail library, and to obtain, at their own cost, books and newspapers from outside and to engage in harmless in-door games or other ways of spending time.

10. The Committee's recommendation for a small grant from Government to Jail libraries has been accepted and an annual grant of Rs.25/- has been sanctioned to each of the Jails at Bangalore and Mysore for the purchase of books for the Jail Library. Literate prisoners are, as proposed by the Committee. to be permitted to read books of an unobjectionable character to other inmates of the prison and allowed to procure note-books at their own cost.

11. With a view to stimulating healthy interest and enlarging the mental outlook of prisoners, the Superintendent has been authorised to arrange in the Jail for lectures on lay subjects, dramatic farces and plays conveying moral lessons or concerts on Sundays and prison holidays.

12. According to the rules now in force a non-remission prisoner is allowed to have one interview and to write and receive one letter after the first six months of his term. and thereafter at intervals of four more months as may be fixed by the Superintender and those who come under the remission rules are eligible, according to their class or grade, for slightly enhanced privileges. The Committee recommended that every well-behaved prisoner should be permitted to have interviews once a month, and to write and receive letters at intervals of a fortnight. The Committee's recommendation has been accepted but with a minimum interval of two months in respect of interviews as well as the writing or receipt of letters.

13. Interviews other than those ordinarily provided for in the rules in the Jail Manual can, at present, be permitted only under the special authority of the Inspector General. The Committee were of opinion that this would necessitate delay and cause much inconvenience to relatives and friends who might have come from distant places, to bring the prisoner's sick wife or child or to settle urgent domestic affairs with him. The Committee suggested that in such cases the rule should be relaxed, and accordingly the Superintendent himself has been empowered, as recommended by the Committee, to grant the interviews.

14. Prisoners who come under the remission system are now being given a small gratuity every month according to the class to which they belong. The Committee recommended that such prisoners should be permitted to dispose of a certain portion of their gratuity not exceeding one-half, for their own needs and comforts in Jail, and that the rest should be accumulated for their benefit and made over after the expiry of the sentence. This recommendation has been accepted.

15. Butter-milk is at present issued twice a week and curds once a week to prisoners in the Jails and Lock-ups. Each prisoner is given 12 ounces of curds once a week and ¼ seer of butter-milk twice a week. The Prison Reforms Committee recommended that as butter-milk is an invariable part of vegetarian diet in this country, it should be issued to prisoners daily, eight ounces being allowed to each prisoner, and that twice a week curds may be issued. Butter-milk has accordingly been ordered to be supplied daily to all prisoners in the Jails and Lock-ups at the rate of 8 ounces to each prisoner instead of twice a week as at present, curds being issued once a week as at present at an extra estimated cost of Rs.5,000/- per annum.

16. At

16. At present prisoners are given an early morning meal at 7 o'clock and an evening meal at 4-30 p.m. The Prison Reforms Committee considered the number and timings of the meals to be unsuitable and recommended a light meal early in the morning, a principal meal at noon and an evening meal at 5-30 p.m., after the day's work. As an experimental measure prisoners in the Central Jail, Bangalore, have been ordered to be provided with three meals a day on the lines suggested by the Committee, for a period of six months in the first instance.

17. With a view to encouraging cleanliness among prisoners, the provisions of the Jail Manual requiring prisoners to bathe every day have been ordered to be strictly enforced; a warm or tepid bath is required to be provided for those prisoners who are medically certified as unfit to stand a cold water bath, as also for prisoners in the Malnad during the winter; the Medical Officer has been empowered to order oil-baths in the case of prisoners accustomed to take regular oil-baths; prisoners in the habit of using toilet soaps have been allowed to obtain the same at their own cost. A pair of towels has been ordered to be supplied to each prisoner in place of the present supply of one.

18. Rule 277 of the Jail Manual provides for the forcible feeding of prisoners on hunger strike. The Committee were of opinion that proper provision has to be made for dealing with hunger strikes on the part of prisoners, and regulating the conditions under which artificial feeding should be resorted to. The Committee suggested certain additions to the Rules on the subject, which have been adopted. These Rules provide for the forcible feeding of prisoners on hunger strike under the direction of the Medical Officer. No criminal prosecution or civil action shall be sustainable against the Medical Officer for administering or not administering food artificially, provided he has acted honestly and with due care and attention. It is the duty of the jail authorities to do what they reasonably can, to keep the

the prisoners in their charge in health and to save them from death. Prisoners who go on hunger strike should be warned that no redress of alleged grievances will be allowed as long as the strike continues, that they are liable to prosecution under the provisions of the Prisons Act. In case of mass hunger-striking which amounts to mutiny, the prisoners should be isolated as far as possible from each other and other prisoners.

General and Revenue Secretariat.

C 273. 10

SUBJECT :—

Recommendations of the Committee on Mysore Prison Reform and the orders of Govt. in regard to same of them.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department.

1408 / 27-8-42 — Minister for Finance and Revenue.

1859 / 26/8 — Minister for Law.

1048 / 27.8 — Minister for Education.

1850 / 29/8 — Minister for Local Self-Govt. and Public Health.

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B. 21/9/42

Law Secy 5/c.

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

1-9-42

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Prison Reforms Committee's recommendations

1/

General and Revenue Secretariat

Pers File No. √ of 194√. [App. F. III—2

Serial No.

OFFICE OF THE MINISTER FOR LAW
AUG 12 1942
No. 1505

19

As instructed by the Law Secretary in person a statement containing the summary of the recommendations of the Prison Reforms Committee which have so far been dealt with and the orders thereon in brief is submitted with a D.F.N in which the more important of the recommendations are given briefly.

JKW 12/8

Law Secy)

Submitted

Cus 12-8-42

JKW 13/8

D.F.N

Minister for Law

Private

Hy 17/8/42

(56)

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Sl. No.	Recommendation Number.	Summary of Recommendations	
1.	(9)	Women prisoners may be confined in the ordinary jails, but in an entirely separate and independent block. Among them adolescents must be kept quite apart from the adults. Females belonging to the criminal tribes, and convicted of offences against property, should be effectively separated from the rest.	sepa trib beer fine Jail
2.	(142)	Charts containing moral precepts and rules of conduct may be hung up in all cells and barracks.	Acce
3.	(72)	Clothing and bedding used by a leper should not be re-issued except to another leper prisoner, and should be thoroughly disinfected and washed before re-issue.	Acc
4.	(69)	Women under sentence of death should be kept in a cell in the female yard guarded solely by female warders.	App
5.	(48)	Female prisoners should be allowed to retain their children until they are five years old, or, with the approval of the Superintendent, even up to six years.	App
6.	(8)	Till such time as the special institutions required for juveniles and adolescent offenders are duly established, all prisoners under the age of eighteen years may be removed to some place where suitable temporary accommodation may be made available.	~~App~~ ten exc in und
7.	(68)	During the period intervening between a death sentence and its execution, whatever is possible should be done to alleviate the position of the condemned prisoners.	Acc
8.	(40)	When female prisoners are taken from one prison or sub-jail to another, there should always be a female escort.	Acc
9.	(43)	Ample facilities for recreation should be provided.	It Ind pri
10.	(150)	The humanizing influence of a close touch between a prisoner and his family and friends should be encouraged, and the rules on the subject of interviews and letters	The int we

Summary of Government Orders	Number and date of Government Orders.
hr recommendation of the Committee for the ation of female prisoners belonging to criminal s and convicted of offences against property has accepted, and such prisoners ordered to be con- in the Mysore Jail and the rest in the Central Bangalore.	No.P.4178/Pris.43-41-1 Dated 11th March 1942.
ted.	No.P.4180/Pris.45-41-1 Dated 11th March 1942.
›ted.	No.P.5128/Pris.62-41-1 Dated 11th May 1942
›ved.	No.P.5127/Pris.62-41-2 Dated 11th May 1942.
oved.	No.P.5139-40/Pris.62-41-3 Dated 11th May 1942
oved. All prisoners below the age of 21, sen- ed in any part of the State to imprisonment eding one month have been ordered to be confined he Central Jail in one of the new blocks there r a separate staff.	No.P.5162/Pris.62-41-4 Dated 13th May 1942.
pted.	No.P.5250-52/Pris.62-41-6 Dated 19th May 1942.
pted.	No.P.5388/Pris.62-41-8 Dated 26th May 1942.
has been ordered that indoor games played by ian women in villages may be provided for female oners, and they may also be trained in "Rangoli".	No.P.5405/Pris.62-41-9 Dated 27th May 1942.
recommendation has been accepted but with a minimum erval of two months in respect of interviews as l as the writing and receipt of letters.	No.P.5716/Pris.62-41-10 Dated 22nd June 1942.

Sl. No.	Summary of Recommendations	
10 - contd -	made as liberal as possible. The scale now prescribed for ordinary prisoners is insufficient. Every well-behaved prisoner should be permitted as of course to have interviews once a month, and to write and receive letters at intervals of a fortnight. This will equalize the privileges of all classes of prisoners in this respect. The right to deprive a prisoner of the privileges in question as a punishment for a prison offence should be sparingly exercised.	
11. (145)	Evening discussions and debates on subjects chosen by the prisoners themselves ur suggested to them may be tried.	The S lectu conve and p
12. (151)	The procedure for the grant of interviews should be made as simple as possible, and divested of needless delay and formality. The existing rule in regard to interviews other than those ordinarily provided for should be relaxed to meet special circumstances, and the Superintendent empowered to grant such interviews himself.	Accep
13. (45)	The matron should be a person with some medical qualifications and competent to attend to cases of ordinary ailments. It is desirable that a lady doctor should go round the female block once a week.	The a appoi docto Banga Gener propo trans crimi
14. (76)	Civil prisoners should be permitted the use of books from the jail library, and to obtain, at their own cost, books and newspapers from outside, and to engage in harmless in-door games or other means of spending time. So far as possible, separate sleeping accommodation should be provided.	Appro
15. (134)	Prisoners should be permitted to have books of an unobjectionable character sent in by their friends, and to buy books out of their private money. Literate prisoners may be allowed to read such books to other inmates.	The frie Lite read inma

Summary of Government Orders	Number and date of Government Orders.
	13
perintendent has been empowered to arrange for es on lay subjects, dramatic farces and plays ing moral lessons or plays or concerts on Sundays ison holidays.	No.P.5719/Pris.62-41-11 Dated 22nd June 1942.
ed.	No.P.5831/Pris.62-41-12 Dated 27th June 1942.
rangements proposed by the Committee regarding the itment of a matron and weekly visits by a lady are already in existence at the Central Jail, ore. As regards the Mysore Jail, the Inspector l of Prisons has been requested to submit similar sals for the Mysore Jail when as a result of the fer to the said Jail of women prisoners belonging to ial tribes and convicted of offences against property.	No.P.7-8/Pris.62-41-13 Dated 1st July 1942.
ved.	No.P.366-67/Pris.62-41-14 Dated 15th July 1942.
rivilege of prisoners procuring books from their ls or at their cost is already in existence. ate prisoners have been ordered to be allowed to books of an unobjectionable character to other es of the prisons.	No. P.466/Pris.62-41-15 Dated 20th July 1942.

Sl. No.	Summary of Recommendations	
16.(135)	Jail libraries will require a small grant from Government, which will have to be supplemented by gifts of books from private persons.	An ann the ja
17.(137)	Note-books and pencils should be allowed to well-behaved prisoners. Educated prisoners may be permitted to procure any necessary stationery at their own cost.	Educat procur suppli
18.(180)	Prisoners should be permitted to wear their own ordinary clothing when attending a court either as witnesses or as accused persons, and when being transferred from one prison to another.	Accept
19.(197)	Where a prisoner is seriously ill, it will be advisable for the prison authorities to send intimation of the fact to any known friend or near relative of his.	Accept
20.(173)	The prescribed number and timings of the meals given to prisoners are unsuitable and require to be altered. The principal meal of the day should be fixed for 12 Noon or a little before. A light meal, in the shape either of kanji (gruel) or cake or boiled rice, with chutney or lime pickple, should be served early in the morning, immediately after unlocking. The evening meal should be similar to, but less substantial in quantity than, the mid-day meal, with, if possible, somewhat different ingredients. This should be served on completion of the day's work, but ordinarily not earlier than 5-30 p.m., when there would still be light at most seasons of the year. The regular number of meals would thus be three, and they would be served at intervals properly spaced.	An exp been o for a Govern
21.(194)	Proper provision has to be made for dealing with hunger strikes, and regulating the conditions under which artificial feeding should be resorted to. Certain additions to the rules on the subject are suggested.	The re and th have b
22.(123)	Corporal punishments for jail offences should be abolished once for all.	Accept
23.(168)	Butter-milk should be issued daily, eight ounces being allowed to each prisoner; but twice a week curds may be mixed with the rice food distributed. The entire process of the boiling of milk and its conversion into butter-milk should be supervised by the Sub-Assistant Surgeon. The Superintendent and the Medical Officer should also in-	Accept preser

mmary of Government Orders	Number and date of Government Orders.
l grant of Rs.25/- has been sanctioned to each of . libraries at Bangalore and Mysore.	No.P.467-8/Pris.62-41-16 Dated 20th July 1942.
d prisoners have been ordered to be permitted to .note books at their own cost, pens and ink being i by the jail.	No.P. 466/Pris 62-41-15 & 21st July 1942
l.	No.P.602-04/Pris.62-41-17 Dated 23rd July 1942.
d.	No.P.605-14/Pris.62-41-18 Dated 23rd July 1942.
riment on the lines suggested by the Committee has dered to be tried in the Central Jail, Bangalore, eriod of six months and a report submitted to ent.	No.P.678-79/Pris.2-42-1 Dated 25th July 1942.
ommendation of the Committee has been accepted additional rules suggested by the Committee en adopted.	No.P.842-52/Pris.2-42-2 Dated 1st August 1942.
d.	No.P.698/Pris.2-42-3 Dated 27th July 1942.
d. curds however being issued once a week as at	No.P.699-709/Pris.2-42-4 Dated 27th July 1942.

Sl. No.	Summary of Recommendations

23 - contd -

independently satisfy themselves by frequent surprise visits that the prisoners receive the full benefits of butter-milk.

24.(195) Each jail should be provided with a reliable weighing machine of a modern type.

25. (44) Female prisoners should be encouraged to keep themselves neat and tidy. On grounds both of health and of privacy, there should be a covered private bath-room.

26. (25) Casual or first offender convicts should be subdivided into "Star" and "Ordinary", on the principle of the segregation of the better from the worse.

27.(158) The rate at which convicts may convert the gratuity earned by them for extra work on remunerative labour into remission of sentence, may be fixed at two instead of four annas per day. The same rate of remission may be allowed in the case of convicts sentenced to terms of two years and below, in lieu of any gratuity earned.

28.(161) The gratuity earned by a prisoner should be the prisoner's own property, and should not be liable to be forfeited as a jail punishment.

29.(138) The natural longing for news of the outside world should not be suppressed through the banning of news in prison. News items and other particulars now broadcast to the public through the radio may be made available also to prisoners. Alternatively, arrangements may be made for the reading out of select news matters contained in newspapers, or in special periodicals prepapred for circulation in jail. Educated prisoners should be allowed to get their own papers.

30.(169) The quantity of gingely oil and salt may be slightly increased. Some slight change in the ingredients of curry powder is advisable, particularly a reduction in the quantity of pepper and the addition of a little more coriander seed.

31.(183) Not only should daily bathing be encouraged in the interests of health and cleanliness, but it should be enforced as a general rule except in the case of the really weak or sick.

Summary of Government Orders	Number and date of Government Orders.
Inspector General of Prisons has been requested to ke action to provide the District Lock-ups with weighing chines.	No.P.741/Pris.2-42-5 Dated 28th July 1942.
cepted.	No.P.853-54/Pris.2-42-7 Dated 1st August 1942.
cepted.	No.P.878/Pris.2-42-8 Dated 4th August 1942.
ccepted.	No.P.882-83/Pris.2-42-9 Dated 4th August 1942.
ccepted, but no fresh rule is considered necessary.	No.P.884/Pris.2-42-10 Dated 4th August 1942.
risoners will be allowed to obtain at their own cost uch weekly or monthly magazines as the Superintendent y approve. The other recommendations are considered be difficult to work now and they will be considered fter the return of normal conditions.	No.P.885/Pris.2-42-11 Dated 4th August 1942.
he change recommended by the Committee has been ordered be tried experimentally in the Central Jail for a eriod of six months.	No.886-87/Pris.2-42-12 Dated 4th August 1942.
ne Committee's recommendations have been accepted sub- ect to the condition that the Medical officer in the	No.P.759-69/Pris. 2-42-6 dated 29th July 1942.

Sl. No.	Summary of Recommendations

31 - contd -

A waram or tepid bath should be provided for those medically certified as unfit to stand a cold water bath, as also for prisoners in the Malnad during the winter season. To prisoners accustomed to take oil baths, an ounce of gingely oil with an ounce of soapnut powder may be issued once a fortnight. Those who use toilet soap may be allowed to procure the same at their own cost. Each prisoner should be given a pair of towels once in nine months. They should be at least thirty-six inches long by twenty-four, if not longer.

Jail may fur of bat str

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Summary of Government Orders	Number and date of Government Orders

s and the officer in charge of the lock-ups
order oil baths in suitable cases. It is
her directed that the provisions of rule 254
he Jail Manual which requires prisoners to
e every day on cessation of work should be
ctly enforced.